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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Palestine refugees' properties and their revenues

Report of the Secretary-General

Summary

On 8 June 2007, the Secretary-General sent notes verbales to Israel and all other Member States, drawing their attention to the relevant provisions of resolutions 61/112 to 61/115 and requesting information by 16 July 2007 concerning any action taken or envisaged in relation to their implementation. Replies dated 7 August 2007 and 16 August 2007 were received from the Palestine Liberation Organization and Israel, covering various aspects of resolutions 61/112 to 61/115. The full text of the replies are reproduced in the present report. No information has been received from other Member States regarding the relevant provisions of the resolutions.

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1. The present report is submitted in pursuance of General Assembly resolution 61/115 on Palestine refugees' properties and their revenues.

2. On 8 June 2007, the Secretary-General drew the attention of the Permanent Representative of Israel to the United Nations to resolutions 61/112 to 61/115 with the request that the Permanent Representative inform him by 16 July 2007 of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolutions.

3. On 8 June 2007, the Secretary-General sent a note verbale to all other Member States, drawing their attention to the relevant provisions of resolutions 61/112 to 61/115 and requesting information by 16 July 2007 of any actions taken or envisaged in relation to their implementation.

4. A reply dated 7 August was received from the Palestine Liberation Organization covering various aspects of General Assembly resolutions 61/112 to 61/115. The text read as follows:

> "The Permanent Observer of Palestine to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note regarding the resolutions adopted by the General Assembly at its sixty-first session under the agenda item entitled 'United Nations Relief and Works Agency for Palestine Refugees in the Near East'.
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> "Resolutions 61/112 on Assistance to Palestine refugees, 61/113 on persons displaced as a result of the June 1967 and subsequent hostilities, 61/114 on operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and 61/115 on Palestine refugees' properties and their revenues are important resolutions that comprehensively address the issue of the Palestine refugees, as well as the issue of Palestinian displaced persons, in terms of both enduring rights and principles and the assistance provided to them by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in various fields. Those resolutions have traditionally and rightly received the overwhelming support of Member States and constitute an extremely important part of the international effort to justly resolve the plight of Palestine refugees. Appropriate consideration of the status of the specific provisions of the above-mentioned resolutions requires a brief review of the current situation of Palestine refugees throughout the region.
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> "The issue of Palestine refugees continues to be among the highest of priorities for Palestine and constitutes one of the core issues that must be justly resolved in order to achieve any peaceful settlement of the question of Palestine. Indeed, the plight of Palestine refugees remains as compelling and central an issue today as it was at the time of the creation of this tragedy in 1948. Palestine refugees now number more than 4.5 million, whose plight has been seriously compounded with the passage of nearly 60 years since its onset, during which time the international community has been unable to implement its relevant resolutions of international legitimacy. In particular, and central to the plight of the Palestine refugees, is resolution 194 (III) of 11 December 1948, which inter alia the General Assembly resolved that refugees wishing to return to their homes and live at peace with their neighbours should be

permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.

"Yet, the Palestine refugees continue to be denied their inalienable right to return by Israel and thus continue to live in exile, suffering as a stateless, dispossessed and dispersed people, with millions of them continuing to live in refugee camps that were originally established as temporary shelters for them throughout the Middle East region in Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory, awaiting the just resolution of their plight. Those camps are typically overcrowded, have inadequate or decaying infrastructure and are characterized by high levels of poverty and unemployment. The majority of the refugees living in those camps continue to endure socio-economic and humanitarian hardships, which have intensified in many of the camps in the past year owing to the deteriorating situation on the ground in the region, particularly in the Occupied Palestinian Territory, especially in the Gaza Strip, and in Lebanon. Further, although the thousands of Palestine refugees in Iraq are not registered with the Agency, their situation also continued to deteriorate and to be a matter of serious concern during the past year.

"Of course, since UNRWA began operations in 1950, it has played a crucial and indispensable role, providing education, health, relief and social services and emergency assistance to Palestine refugees and helping to alleviate their hardships over the decades. As such, the Agency is fundamental to any discussion about the issue of Palestine refugees. With limited resources and often under very difficult circumstances, the Agency, under the leadership of its dedicated Commissioner-General and staff, has been efficiently operating at least 900 facilities throughout Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory to provide essential services to Palestine refugees, including schools, health clinics, vocational training centres, and community centres for women, youth and the disabled. In addition, in recent years the Agency began providing microfinance and microenterprise programmes for the promotion of economic development and self-reliance among the refugees. It is also important to mention, in this regard, that the host countries — Jordan, Lebanon and the Syrian Arab Republic — as well as the Palestinian Authority, continue to cooperate closely with UNRWA and to also provide important assistance to Palestine refugees.

"Regrettably, however, owing to the continued decline of the political, socio-economic and security situation in the region in the recent period, particularly in the Occupied Palestinian Territory and in Lebanon, the Agency has faced increasing challenges and obstacles. UNRWA has once again been forced to expand its emergency-related programmes and to issue emergency appeals in order to raise the funds needed to provide urgent humanitarian aid to the refugees, including food, medicine, shelter repair, shelter for displaced refugees and cash assistance to meet basic needs. Such assistance by UNRWA to the refugees has been vital for their survival, helping them to cope with the crises and hardships they are experiencing and helping to allay the complete impoverishment of thousands of refugee families.

"As mentioned above, the situation of Palestine refugees in the Occupied Palestinian Territory and in Lebanon, as well as of Palestine refugees in Iraq, was particularly acute in the past year. It is necessary to refer briefly to the situations being faced by those refugees and by UNRWA in those three areas, for recent developments have exacerbated the conditions of the refugees and given rise to more demands and challenges for the Agency, increasing the strain on its financial and human resources.

"In the Occupied Palestinian Territory, including East Jerusalem, the socio-economic conditions of the Palestine refugee population, particularly in the Gaza Strip, continued to decline, and severe hardship cases continued to rise. Israel, the occupying Power, continued to launch military assaults and raids on Palestinian population centres, including refugee camps in the West Bank and the Gaza Strip. Palestine refugees thus continued to suffer more human and material loss as a result of Israel's illegal policies and practices, which caused death and injury to refugees, including children, and extensive damage and destruction to shelters and properties and to vital civilian infrastructure in the camps, including Agency property.

"In addition, the Palestine refugees, among the poorest and most vulnerable members of the population, have continued to suffer as a result of the international aid boycott imposed on the Palestinian Authority in January 2006 in the aftermath of the Palestinian Legislative Council elections. That boycott disabled the Authority and its functioning, impairing its delivery of essential public services, preventing it from paying salaries to its employees, many of whom are refugees, and bringing the economy to near collapse, which has affected the majority of households and deepened poverty among the population. This has inevitably led to an increase in demand for UNRWA services by refugees, including, as noted by the Commissioner-General of UNRWA in June of this year in her statement to the Advisory Commission, by many refugees who sought assistance for the very first time after decades of self-reliance.

"At the same time, the occupying Power's continuing collective punishment of the Palestinian civilian population through, inter alia, the imposition of closures on the Occupied Palestinian Territory, including full closures of all crossings into and out of the Gaza Strip and severe restrictions on movement throughout the Territory, had a further negative impact on the situation of the Palestine refugees and undermined the operations of UNRWA in the Occupied Palestinian Territory. Israel's imposition of hundreds of checkpoints and roadblocks, its continuing unlawful construction of the Wall and of settlements, and its imposition of a racist permit regime in the West Bank have gravely affected access by refugees to UNRWA services, including, in particular, in the area of Occupied East Jerusalem. Such restrictions have also continued to hamper the access of UNRWA staff members, who have been repeatedly subjected to verbal and physical harassment at checkpoints, to cause costly delays to UNRWA vehicles and to the delivery of services, and to disrupt the functioning of the UNRWA West Bank Field Office.

"Regrettably, the dire humanitarian situation of the Palestine refugees in the Gaza Strip caused by the illegal and suffocating policies of Israel, the occupying Power, and the international boycott, deteriorated even further with

the outbreak of inter-factional Palestinian fighting and the violent takeover of Palestinian Authority institutions by outlawed militias in June 2007. As the Gaza Strip continues to be isolated with the closure of all crossings into and out of it, except for limited entry of food and medicine, the Palestine refugee population continues to suffer and to become ever more dependent on aid for subsistence. UNRWA has launched emergency appeals aimed at alleviating the poverty and economic hardships being faced by those refugees and continues to work in close cooperation with other United Nations agencies to meet the needs of the poor and hungry in Gaza. Unfortunately, however, owing to the instability of the situation, the majority of the Agency's international staff has been relocated from the Gaza Strip to offices in Jerusalem and Amman. In addition, it must be mentioned that the closures have had an impact on UNRWA construction projects in the Gaza Strip because of the lack of building supplies. In July 2007, the Agency announced that its construction projects, comprising the vital humanitarian work of repairing damaged and dilapidated shelters for about 16,000 refugees living in deplorable conditions as well as the construction of schools, water and sanitation networks, medical facilities and community centres, had been halted because the Agency had run out of necessary building supplies.

"In Lebanon, the situation of the Palestine refugees in the northern refugee camp of Nahr el-Bared deteriorated dramatically this year. On 20 May 2007, fighting began at Nahr el-Bared between the Lebanese army and a militant group called Fateh al-Islam, comprised of armed persons from outside the camp and outside the region who had established a presence in the camp. The ongoing fight between the Lebanese army and the militants has resulted in extensive loss of life and destruction in the camp and has caused more than 25,000 Palestine refugees to flee the camp for safety. Most of those refugees, now once again dispossessed, have fled to the nearby Beddawi camp as well as to other camps, where they remain displaced and in need of food, shelter and medical care. UNRWA responded immediately to this crisis, providing emergency assistance to the Palestine refugees from the Nahr el-Bared camp. Of course, in addition to the detrimental impact on the lives and well-being of the Palestine refugees, the events at Nahr el-Bared have put a further strain on the regular operations of UNRWA in Lebanon and compelled the Agency to launch another emergency appeal this year to support its provision of necessary humanitarian aid to the refugees affected by those developments.

"As for Palestine refugees in Iraq, their situation remained critical this year, with many attempting to flee Iraq for fear of persecution as they continued to be targeted with violence, harassment and eviction from their homes by militias and Iraqi police seeking to expel them from the country. Currently, about 1,200 Palestinians remain stranded in three border camps near the border of the Syrian Arab Republic with Iraq and one camp near the Jordanian border, while the rest — estimates range from 15,000 to 34,000 — remain trapped in Baghdad, targeted because of their ethnicity. While the Palestine refugees in Iraq — the children and grandchildren of Palestinians who fled the 1948 war with an Iraqi army regiment but were denied Iraqi citizenship rights — remain outside the mandate area of UNRWA despite the fact that many of them meet the criteria to be registered with UNRWA, the Agency, in cooperation with the Office of the United Nations High

Commissioner for Refugees, has tried to assist them and has continued to call for a solution to their plight.

"Overall, in the past year, despite the increased burden on its financial and human capacities, the risks to the safety of its staff and facilities, and the difficulties faced in terms of access of its staff as a result of the difficult situation on the ground and specifically in the Occupied Palestinian Territory, UNRWA has continued to operate efficiently, with minor interruptions and delays, providing the needed assistance to Palestine refugees throughout the region, including in emergency situations. Commissioner-General Karen AbuZayd and the entire staff of UNRWA should be recognized for their dedication under these difficult circumstances and commended for their extraordinary efforts in carrying out the noble humanitarian mission of UNRWA. Moreover, we encourage UNRWA to continue its cooperation with other United Nations agencies and its partnerships with the International Committee of the Red Cross and the Palestine Red Crescent Society, which can help the Agency cope with the increasing demands of the current situation and enable it to most effectively provide assistance to the refugees and, where necessary, to Palestinian displaced persons.

"As illustrated by the above review of the current situation, General Assembly resolutions 61/112, 61/113, 61/114, 61/115, which address various aspects of the plight of the Palestine refugees and UNRWA operations to assist the refugees, are important resolutions that remain very relevant since the problem of the Palestine refugees tragically remains unresolved and the refugees continue to need the assistance of UNRWA to meet their basic living needs. Regrettably, some of the most important provisions of those resolutions remain unimplemented owing to the intransigence of Israel and its continuing denial of the rights of the Palestinian people, including their right to return, and its continuing disrespect and violation of the Charter of the United Nations and international law, including humanitarian and human rights law, as well as of the Conventions on the Privileges and Immunities of the United Nations and on the Safety of United Nations and Associated Personnel.

"Of course, the main provision unimplemented in this regard remains the call in paragraph 11 of resolution 194 (III) of 11 December 1948, which has been recalled annually and which the United Nations Conciliation Commission for Palestine is repeatedly requested by the Assembly to exert efforts for its implementation. As mentioned above, paragraph 11 calls for the repatriation of, or payment of compensation to, Palestine refugees, who for nearly six decades now have suffered from the loss of their homes, lands and means of livelihood and from the denial of their right to return. In this regard, it is distressing to note recent comments made in March 2007 by Israeli Prime Minister Ehud Olmert, who, following the reaffirmation of the Arab Peace Initiative, callously declared in reference to the Palestine refugees that he would never accept a solution based on their return to Israel, in any number, and would not agree to accept any kind of Israeli responsibility for the creation of this problem. Clearly, it is Israel's intransigence and inhumane denial of the collective and individual rights of those people and its denial of any responsibility for this problem that have prevented the achievement of a just resolution of the plight of the Palestine refugees for nearly sixty years now and that has so deeply compounded and complicated this problem, which is not

only a core Palestinian issue but a regional one as well, as proven once again by recent events.

"Of course the central and regional importance of resolving the Palestine refugee crisis is a fact that has been explicitly recognized by the General Assembly. In resolution 61/112 on assistance to Palestine refugees, as in the resolutions that preceded it, the Assembly affirmed the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region. Moreover, the Assembly, in that same resolution, recalls its resolution 302 (IV) of 8 December 1949, by which it established UNRWA, and affirmed the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees.

"In order to support the critical work of UNRWA, the Assembly rightly called in resolution 61/112 upon all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including with regard to increased expenditures arising from the deteriorating socio-economic and humanitarian situation in the region. On this point, Palestine acknowledges with deep gratitude the generous contributions made by donor countries in support of the humanitarian work of UNRWA, including their responses to recent emergency appeals issued by the Agency to address the situations in the Gaza Strip and in northern Lebanon. The consistent and firm support of donor countries has been vital in sustaining UNRWA over the years and allowing it to continue assisting the Palestine refugees and is deeply appreciated by the Palestinian people and their leadership.

"In resolution 61/113 on 'persons displaced as a result of the June 1967 and subsequent hostilities', the Assembly, inter alia, reaffirmed the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967. Regrettably, Israel, the occupying Power, has not respected this right and has not complied with the mechanism agreed upon by the parties in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 for the return of displaced persons. In resolution 61/113, the Assembly expresses concern about this issue and stresses the necessity for an accelerated return of displaced persons. In this connection, it is also important to refer to the Assembly's endorsement of the Commissioner-General's efforts to provide humanitarian assistance, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in need of assistance, and to underscore the appeal made by the Assembly for Governments, organizations and individuals to contribute to UNRWA to meet their continuing needs.

"Resolution 61/114 on the operations of UNRWA is a comprehensive resolution addressing the many aspects of the work of UNRWA and the difficult environment within which it must often operate to provide its services to the Palestine refugees. The resolution, inter alia, recalled relevant General Assembly and Security Council resolutions and considers the annual report of

the Commissioner-General of UNRWA, the main source by which the Assembly is informed about the work of the Agency and the challenges it has faced as well as its achievements each year. Resolution 61/114 also recalls relevant Articles of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations and the Convention on the Safety of United Nations and Associated Personnel, and it affirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, (Fourth Geneva Convention) to the Palestinian Territory occupied since 1967, including East Jerusalem. The references to those instruments of international law are important in that they remind all parties concerned about the applicability of those instruments, the need to respect them, and their obligations in this regard.

"The Assembly, in its resolution 61/114, specifically called upon Israel, the occupying Power, to comply with the Fourth Geneva Convention and also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem. In this regard, the Assembly, among other things, expresses its grave concern about the endangerment of the safety of the Agency's staff and about the damage caused to its facilities as a result of Israeli military operations, deplores the killing of Agency staff members by the Israeli occupying forces, and expresses its deep concern about the continuing imposition of restrictions on the freedom of movement of the Agency's staff and their harassment and intimidation, which undermine and obstruct the Agency's work. On this matter, the Assembly directly called upon Israel to cease obstructing the movement of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally. Moreover, the Assembly urged Israel to speedily compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side and to expeditiously reimburse the Agency for port and related charges, including storage, demurrage and transit charges, incurred by the Agency and other financial loss sustained by the Agency as a result of delays and restrictions on movement and access imposed by Israel.

"Israel has not complied with those provisions of resolution 61/114 and has instead continued to act in serious breach of the law. The Israeli occupying forces continue to inflict damage on the Agency's facilities and to physically harm, including to kill, and to harass the Agency's staff. Moreover, as mentioned above, the severe restrictions on movement and the closures it continues to impose on the Occupied Palestinian Territory, including East Jerusalem, continue to undermine and obstruct the work of UNRWA, preventing many staff members from reaching their jobs, causing long delays for the delivery of services, and causing the Agency to incur more financial losses. In light of this ongoing situation, it is necessary to reaffirm that UNRWA, like all other United Nations agencies and humanitarian organizations, is entitled under the law, and must be allowed, to carry out its mandate free from harassment, intimidation, obstruction and destruction. Israel, the occupying Power, should immediately lift all restrictions on the

movement and access of the Agency's staff and vehicles, ensure their safety and compensate the Agency for any damage caused to its property. Israel must be compelled to fully respect the Charter of the United Nations, the Conventions on the Privileges and Immunities of the United Nations and on the Safety of United Nations and Associated Personnel, its own bilateral agreement with the Agency and the relevant provisions of the Fourth Geneva Convention.

"Resolution 61/114 also properly addressed the difficult situation being faced by the Palestine refugees in the Occupied Palestinian Territory, as this situation directly impacts the work of the Agency and the demands placed upon it for assistance. The Assembly expressed grave concern about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, resulting, inter alia, from the loss of life and injury, the extensive destruction of their shelters, properties and vital infrastructure and the displacement of Palestine refugees. The Assembly also expressed deep concern about the closures and the severe restrictions on movement, as well as the continuing unlawful construction of the wall, which have a grave impact on the socio-economic situation of the Palestine refugees. As noted earlier, the Agency has been exerting concerted efforts to address this grave deterioration of the situation of the Palestine refugees in the Occupied Palestinian Territory, particularly in the Gaza Strip, and has issued emergency appeals to enable it to provide the needed assistance, including emergency food, medicine and shelter. In this regard, in resolution 61/114, the Assembly noted that it was aware of, specifically, the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters and for the provision of shelter for those refugee families internally displaced as a result of recent Israeli military actions, efforts which valiantly continue to this day, and endorsed the efforts to provide humanitarian assistance on an emergency basis to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent incursions in the Occupied Palestinian Territory and hostilities in Lebanon.

"As noted by the Assembly in that resolution and as mentioned above, enormous strain is being placed on the Agency and its already critical financial situation as a result of the deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem, owing to Israel's unlawful policies and practices against the Palestinian civilian population. It is a vicious cycle and an issue that should be of concern to the entire international community and particularly to the donor community, which is repeatedly called upon to help the Agency provide emergency aid to alleviate the negative impact of these unlawful Israeli actions on the Palestine refugees. In this regard, the international community must take measures to hold the occupying Power accountable for its actions towards both the Palestinian civilian population and UNRWA by demanding that Israel cease all such actions and that it scrupulously comply with its legal obligations. Only such compliance with the law and with United Nations resolutions will bring about a real change in the situation on the ground and the complex environment within which the Agency must operate.

"Nevertheless, despite the continuation of this unlawful situation in the Occupied Palestinian Territory and the additional burdens on the Agency's financial and human resources, UNRWA, as noted above, has been able to continue providing the Palestine refugees with services and assistance. However, the Agency has had to relocate its international staff from its headquarters in Gaza City, which has caused some disruption to its operations. The relocation of UNRWA staff from Gaza continues, and we express our concern about this matter as well, which was further complicated by the regrettable actions by outlawed Palestinian militias in the Gaza Strip in recent months. We hope that a cessation of Israeli military actions in the Gaza Strip and the restitution of the situation on the ground in Gaza to that prior to the events of June 2007 will bring calm and stability to allow for the return of the international staff of UNRWA to the Gaza City headquarters to continue their important work.

"The Assembly does recognize the tireless efforts that are being exerted by the Agency and rightly expresses its appreciation in resolution 61/114 to the Commissioner-General and the staff for their valuable work, particularly in the light of such difficult conditions, and affirms that the functioning of the Agency remains essential in all the fields of operation. The Assembly also acknowledges the important support provided by the host Governments to the Agency in the discharge of its duties, support for which Palestine has always been grateful. Moreover, the Assembly, inter alia, expresses its appreciation to the Advisory Commission which, since its enlargement, has undertaken an enhanced role in advising the Commissioner-General, and to the Working Group on the Financing of UNRWA, and commends the Agency for its organizational reform measures to modernize and strengthen its management. In this regard, Palestine expresses its support for the Agency's requests for additional posts to strengthen its capacities and thus enhance its ability to address the needs of the Palestine refugees.

"Resolution 61/114 addressed various other issues related to the Agency's services to the Palestine refugees. In this regard, we urge the Commissioner-General to continue with the project of the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory and to proceed as well with the modernization of the archives of the Agency, which constitute a very important record. Moreover, we encourage the Agency, despite the challenging circumstances, to continue to the extent possible its successful microfinance and microenterprise programmes to help develop the economic and social stability of Palestine refugees. At the same time, we highlight the Assembly's appeal to all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency, including special allocations for grants and scholarships for higher education and the establishment of vocational training centres for Palestinian refugees, in order to ease the financial constraints currently being faced by the Agency and to support its valuable and necessary work in assisting Palestine refugees in all fields of operation.

"As for resolution 61/115, it addresses the specific matter of the Palestine refugees' properties and their revenues and, similar to the other resolutions under the agenda item concerning UNRWA, has been adopted annually by the

Assembly by an overwhelming majority. In this resolution, the Assembly, inter alia, recalled that the Universal Declaration of Human Rights and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property. This principle is applicable to the Palestine refugees and cannot be altered, regardless of the passage of time. Thus, the Assembly explicitly reaffirmed in resolution 61/115 that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice, and requested the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel. The Assembly also called once again upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution. To our knowledge, Israel has not complied with this provision of resolution 61/115 and continues to totally disregard and disrespect the right of the Palestine refugees to their properties and their revenues.

"Addressing the lack of progress on this issue, the Assembly, in resolution 61/115, once again urged the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process. Unfortunately, as of the writing of this note, despite the efforts being exerted by concerned parties, such as the League of Arab States and the Quartet, to bring about a resumption of the peace process, Israel continues to evade discussion of such important final status issues and refuses to commit itself to their resolution on the basis of international law and United Nations resolutions. While the sensitivity of such issues is recognized, it must also be recognized that a peaceful settlement of the question of Palestine requires the resolution of several sensitive issues, which of course includes a just resolution to the issue of the Palestine refugees, including the issue of their properties and revenues, on the basis of resolution 194 (III) and international law. In this regard, the Palestinian side continues to openly call for the discussion and negotiation of all final status issues, including that of the Palestine refugees, with the aim of achieving a just, comprehensive and peaceful settlement.

"All four of the above-mentioned resolutions adopted by the General Assembly under agenda item 13 during its sixty-first session are important resolutions that remain relevant, and the provisions of which should be implemented as speedily as possible. The plight of the Palestine refugees tragically continues and, until it is justly resolved, there remains a great need for the educational, health, relief, social and emergency humanitarian services and assistance being provided by UNRWA to the Palestine refugees throughout Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory, including East Jerusalem. Therefore, during its sixty-second session, the General Assembly should once again firmly support those resolutions and pursue their implementation as part of its ongoing and important contribution to the international effort to redress the plight of the Palestine refugees and to provide them with basic living needs and human dignity until the day that a just, comprehensive and lasting peace of the question of Palestine is finally achieved."

5. A reply dated 16 August was received from Israel covering various aspects of General Assembly resolutions 61/112 to 61/115. The text read as follows:

"The Permanent Mission of Israel to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note dated 8 June 2007 concerning resolutions 61/112 to 61/115 adopted by the General Assembly under agenda item entitled 'United Nations Relief and Works Agency for Palestine Refugees in the Near East'.

"At the outset, Israel wishes to note developments on the ground which have occurred since the adoption of those resolutions by the General Assembly. With the emergence of a Palestinian government that accepts the three basic principles of the international community — recognizing Israel, renouncing violence and terror, and abiding by previous agreements — there is great potential for progress on an Israeli-Palestinian dialogue and the promotion of a political horizon to further the process. Indeed, the events of the past few weeks, among them meetings between senior Israeli and Palestinian officials, attest to this reality.

"Despite Hamas's deliberate and cynical terrorist attacks on the very crossing points used to enable the entry of humanitarian aid into the Gaza Strip, Israel has made major efforts to keep those crossing points open in coordination with the United Nations and its specialized agencies. Indeed since 19 June 2007, more than 50,000 tons of humanitarian aid have been transferred through the Sufra crossing, and more than 4,000 tons passed through the Kerem Shalom crossing.

"In addition, during Hamas's takeover of the Gaza Strip in June 2007, Israel immediately responded to calls by United Nations agencies and personnel for safe passage into Israel to escape the chaos and violence.

"Israel would like to see the crossing points open for the transfer of commercial merchandise in and out of the area, but this is particularly difficult owing to continuing rocket and mortar attacks against the crossing points.

"Israel supports the humanitarian mission of UNRWA and recognizes its important contribution to the welfare of the Palestinian refugees. While Israel believes that UNRWA could be an important vehicle to promote peace and stability in the region, it remains concerned with the politicization of the Agency. Israel holds that any resolution adopted regarding UNRWA must deal solely with its operations and avoid extraneous political issues introduced to single out one country, prejudice decisions regarding permanent status negotiations and promote the interests of one side of the conflict.

"Israel is in favour of consolidating UNRWA resolutions and removing any extraneous political language. This is consistent with the general efforts aimed at the reform and revitalization of the work of the General Assembly.

"Israel looks forward to continuing its cooperation and working relationship with UNRWA. Accordingly, Israel urges the Secretary-General and UNRWA to consider, together with the parties involved, ways in which the organization can enhance the fulfilment of the mandate of UNRWA in an

accountable and responsible manner in the best interests of those whom it has been charged to serve."

6. No information has been received from other Member States with regard to steps taken concerning General Assembly resolutions 61/112 to 61/115.